IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 19TH JANUARY 2007 / 29TH PAUSHA 1928

Bail Appl..No. 300 of 2007()

CRMP.10146/2006 of JFCM.-III, PUNALUR
Crime No.103/06 of Pathanapuram Excise Range
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: PETITIONER/2ND ACCUSED

REMANAN, S/O. SIVARAMAN,
SHIBU BHAVAN VEEDU, CHENNAMKUZHI GANDHIGRAM
DESOM, CHAKKUVARAKKAL VILLAGE,
KOTTARAKKARA TALUK.

BY ADV. SRI.D.JAYACHANDRAN

RESPONDENT: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No. 300 of 2007

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Dated this the 19th day of January, 2007.

ORDER

Petitioner, who is the second accused in Crime No.103 of 2006 of Pathanapuram Excise Range for offences punishable under Section 8 (1) and (2) of the Abkari Act for allegedly having been found in joint possession along with A1 of 210 litres of illicit spirit on 26.10.2006 and who was arrested on the same day, seeks his enlargement on bail.

2. Even though the learned Public Prosecutor opposed the application, he fairly conceded that no final report has been filed even after 60 days of judicial custody of the petitioner. If so, the petitioner is entitled to be released on bail as of right under Section 167(2) Cr.P.C.

3. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs.35,000/- (Rupees thirty five thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.- III, Punalur and subject to the following conditions:-

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. Petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. Petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

4. Petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.Ramkumar,
Judge.

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